



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/080,476 | 02/22/2002 | Graeme John Proudler | B-4515 619561-7 | 8509 |

22879 7590 07/20/2009

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

| |
|----------|
| EXAMINER |
|----------|

TRUONG, THANHNGA B

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2438

| | |
|-------------------|---------------|
| NOTIFICATION DATE | DELIVERY MODE |
|-------------------|---------------|

07/20/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM
ipa.mail@hp.com
jessica.l.fusek@hp.com

| | | | |
|------------------------------|---------------------------------------|--|--|
| Office Action Summary | Application No. 10/080,476 | Applicant(s) PROUDLER ET AL. | |
| | Examiner THANHNGA B. TRUONG | Art Unit 2438 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the communication filed on June 24, 2009. Claims 11-25 are pending. Claims 20-25 are newly added by the applicant. At this time claims 11-25 are rejected.

Response to Arguments

2. Applicant's arguments filed June 24, 2009, with respect to the rejection(s) of claim(s) 11-19 under 35 USC 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Stewart et al (US 6,414,635 B1).

The fact that Examiner may not have specifically responded to any particular arguments made by Applicant and Applicant's Representative, should not be construed as indicating Examiner's agreement therewith.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 11-25 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Stewart et al (US 6,414,635 B1).

a. *Referring to claim 11:*

i. Stewart teaches an information system comprising:

(1) an information access point relating to at least one pre-determined geographical area, said information access point including apparatus for

Art Unit: 2438

retrieving information relating to trusted computing platforms located within said pre-determined geographical area **(see Figures 1-3, column 2, lines 54-66; column 3, lines 6-32; and column 8, lines 9-12 of Stewart)**, said information system being arranged to provide said information to a user upon request **(column 16, lines 1-4 of Stewart)**.

ii. Although Stewart teaches an information system using access point with related pre-determined geographical area for network communication wherein the portable computing device (PCD) 110 equipped with a certificate to ensure security, Stewart does imply the teaching on the capability of communicating with trusted computing platform.

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) have modified the invention of Stewart to clearly state the portable computing device (PCD) 110 is the trusted computing platform.

iv. The ordinary skilled person would have been motivated to:

(1) have modified the invention of Stewart to clearly state the portable computing device (PCD) 110 is the trusted computing platform for securing transmitting information over the network.

b. Referring to claim 12:

i. Stewart further teaches:

(1) wherein said information system is arranged to provide as said information only details and/or a list of public keys (e.g., certificate) of genuine trusted computing platforms within said pre-determined geographical area **(column 8, lines 9-12 of Stewart)**.

c. Referring to claim 13:

i. Stewart further teaches:

(1) wherein said information access point comprises a trusted computing platform **(see Figure 1, column 7, lines 15-31 of Stewart)**.

Art Unit: 2438

d. Referring to claim 14:

i. Stewart further teaches:

(1) comprising apparatus for communicating or interacting with a user's portable computing apparatus (**see Figure 1, column 7, lines 15-31 of Stewart**).

e. Referring to claim 15:

i. Stewart further teaches:

(1) wherein said apparatus for communicating or interacting a user's portable computing apparatus is arranged to perform said communication or interaction by physical contact or directional wireless communication (**see Figure 1, column 7, lines 15-31 of Stewart**).

f. Referring to claims 16-17:

i. Stewart further teaches:

(1) incorporating or accompanied by a declaration concerning the trustworthiness of the system; wherein said declaration is capable of interpretation by a user without preprocessing by an information processing system (**column 8, lines 9-12 and lines 55-64 of Stewart**).

g. Referring to claim 18:

i. Stewart further teaches:

(1) arranged to verify the identity of a user (**column 8, lines 9-12 and lines 55-64 of Stewart**).

h. Referring to claim 19:

i. This claim has limitations that is similar to those of claim 15, thus it is rejected with the same rationale applied against claim 15 above.

i. Referring to claim 20:

i. Stewart further teaches:

(1) wherein the information provided to the user includes security attributes of the trusted computing platform within said pre-determined geographical area (**column 8, lines 9-12 and lines 55-64 of Stewart**).

Art Unit: 2438

j. Referring to claims 21-25:

i. These claims consist a method to implement claim 11-15, thus they are rejected with the same rationale applied against claims 11-15 above.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Taghi Arani can be reached at 571-272-3787. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-272-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

/Thanhnga B. Truong/

Primary Examiner, Art Unit 2438

TBT

July 14, 2009

Application/Control Number: 10/080,476
Art Unit: 2438

Page 6